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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 BILL J. SWANN, )  
09 Plaintiff, ) CASE NO. C11-5166-TSZ  
10 v. ) ORDER REMANDING CASE  
11 MICHAEL J. ASTRUE, Commissioner of )  
Social Security, )  
12 Defendant. )  
13 \_\_\_\_\_ )

14 The Court, after careful consideration of plaintiff's complaint, the parties' briefs, all  
15 papers and exhibits filed in support and opposition thereto, the Report and Recommendation of  
16 the Honorable Mary Alice Theiler, United States Magistrate Judge, docket no. 12, to which no  
17 objections have been filed, and the balance of the record, does hereby find and ORDER:

18 (1) The Court adopts the Report and Recommendation;

19 (2) The final decision of the Commissioner is REVERSED and this case is  
20 REMANDED to the Social Security Administration for further proceedings not inconsistent  
21 with the Report and Recommendation; and

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(3) The Clerk of the Court is directed to send copies of this Order to the parties and to Judge Theiler.

DATED this 9th day of December, 2011.

Thomas S Zeller

Thomas S. Zilly  
United States District Judge